

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:18-cr-00134

ALLEN H. LOUGHRY II

**UNITED STATES MOTION FOR TIME TO FILE
RESPONSE TO SECOND MOTION FOR A NEW TRIAL**

1. On November 6, 2018, defendant Allen H. Loughry II filed a second motion for a new trial (ECF No. 96). He argues that there was insufficient evidence to sustain the guilty verdicts.

2. The United States had earlier requested transcripts of the trial testimony of Kim Ellis, Sue Racer-Troy, and the defendant. The United States received the transcript of Ms. Ellis today, and the other transcripts are expected on November 14, 2018. The United States also notes that Monday, November 12, 2018, is Veterans Day (observed), a federal holiday.

3. The testimony of Kim Ellis, Sue Racer-Troy, and the defendant is relevant to the sufficiency-of-the-evidence arguments raised in defendant Loughry's second new trial motion.

4. The United States therefore requests that the Court allow the United States to file its response to defendant Loughry's second new trial motion on or before November 16, 2018.

5. Counsel for defendant Loughry has stated he has no objection to this motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that service of the foregoing “UNITED STATES MOTION FOR TIME TO FILE RESPONSE TO DEFENDANT’S SECOND MOTION FOR A NEW TRIAL” has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing on this 7th day of November, 2018, to:

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